

BOBROFF, HESSE, LINDMARK & MARTONE, P.C.

ATTORNEYS & COUNSELORS
7730 Forsyth, Suite 200 • St. Louis, Missouri 63105
314-862-0300 Fax 314-862-7010

L. ALLISON MCKEEL
Direct Dial: (314) 862-4681
e-mail: allisonmckeel@bobroffhesse.com

October 10, 2003

Malissa M. Sydnor
119 Hiway J
Wright City, MO 63390

**Re: Rule 26(a)(1) Disclosures
Malissa Marie Sydnor v. Warrenton Manor, L.L.C.
Cause No.: 4:03-CV-00483**

Dear Ms. Sydnor:

As we discussed in our recent telephone conversation, your Rule 26(a)(1) disclosures in the above-referenced case were due on August 20, 2003. To date, I have not received your disclosures. Please forward your Rule 26(a)(1) disclosures no later than October 19, 2003 or I will be required to file a Motion requesting the Court order you to do so.

Thank you for your prompt attention to this matter.

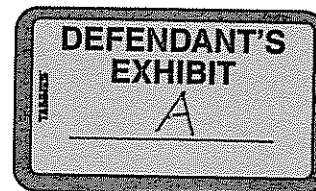
Very truly yours,

BOBROFF, HESSE, LINDMARK
& MARTONE, P.C.



L. Allison McKeel

LAM/pmm



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November 25, 2003

CERTIFIED MAIL/
RETURN RECEIPT REQUESTED

Malissa M. Sydnor
119 Hiway J
Wright City, MO 63390

Re: Malissa Marie Sydnor v. Warrenton Manor, L.L.C.
Request for Continuance to Answer Discovery

Dear Ms. Sydnor:

My assistant Phyllis McCormick advised me of your telephone message requesting an extension of time to answer discovery because you are looking for a lawyer. I tried several times to return your telephone call prior to 4:45 p.m. but did not get any answer.

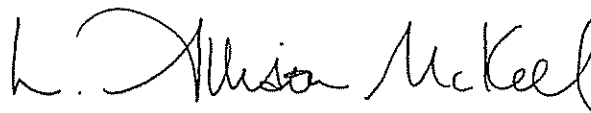
I am authorized to grant you a fourteen (14) day extension of time to answer discovery, until Thursday, December 11, 2003. I cannot, however, grant an extension of time for you to complete discovery until you are able to hire an attorney. I have not yet received your Rule 26 initial disclosures that were due more than a month ago.

Please provide your discovery answers by December 11, 2003, or I will have no choice but to file a motion to compel with the Court.

If you have any questions, please let me know.

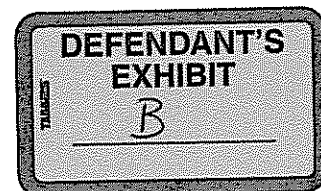
Very truly yours,

BOBROFF, HESSE, LINDMARK
& MARTONE, P.C.



L. Allison McKeel

LAM/pmm



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Malissa M. Sydnor
119 Hiway J
Wright City, MO 63390

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery
12-2-03

C. Signature

X *Malissa Sydnor*☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 05 0018 7885 7572

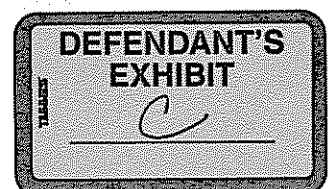
PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

Questions Asked By Attorney 1-34

1. Yes
2. Yes
3. Yes
4. No
5. Yes
6. Yes
7. Yes, reason she came in and left with a headache.
8. No, I was called and asked to work for a call in (co. worker)
9. Yes, and also contained on the Jan. 10th
10. Yes
11. No, I wasn't schedule but I was asked by Sandy Lockhart to work the 9-10 at the same time, for a call in co-worker. I reported to work.
12. No
13. Yes, reason being I spoke with her on the 9th I asked her when was I going to be put back on the Schedule. She stated that she could not give me a definite date but at that time she could only offer me call INS and I need more stability for my family and me. So yes for that Reason I gave my 2 weeks notice.
14. Yes
15. Yes, after I was asked for the door key and she asked me to get out of her face so that she wouldn't have to look at me and I wouldn't have to look at her. I said to her that, what she was doing was unfair work practice and she stated she didn't care the she stated that she didn't care and I could call the NAACP or whoever I wanted. I proceeded to leave out the door and said fuck this place. I do not have to take this shit.
16. Yes
17. No
18. Yes, prior to the profanity but after she asked for the door key and for me to get out of her face.
19. Yes but this was before. I gave her the 2-week notice, Before she asked for the door key, Before she asked me to get out of her face. Because look at the facts if it was true that I used profanities more than once would be for termination. This Question was not in the right Sequence of the questionnaire because this took place when our conversation first started regarding Jan.1, 2002 no call no show as she stated.
20. No, refer back to answer 13! No I was not on the schedule.
21. No, not on the schedule refer to answer 19
22. No, not on the schedule refer to answer 19



23.No, not on the schedule refer to answer 19

24.No, not on the schedule refer to answer 19

25.No, not on the schedule refer to answer 19

26.Yes

27.No, I was not absent. I was not on the schedule and was terminated at that time. I was terminated as of Jan.10, 2002.

28.Yes

29.no

30.Yes, hear say

31.Yes, only non-similarity is my race.

32. No

33.Yes, and witnesses

34.Yes

Malissa Sydney

State of Missouri)
County of Warren)

Subscribed and sworn before me this 11th day of December 2003.

My Commission Expires: 6-1-05

Joseph A. Engle
Notary Public

WITNESS TO THE NO CALL NO SHOW

- 1) SUPERVISOR: SANDY LOCKHART IN
WARRENTON MO 636-456-9615
- * 2) LAURA KRIGHAUM 204 E. WALTON WARRENTON,
MO 63383
- 3) SWED GIMRE - STRACK CHURCH RD WRIGHT
CITY MO 63390
- 4) JANICE HESS - STIENHOGEN WARRENTON MO
63383
- 5) GARY HODGES - STRACK CHURCH RD WRIGHT
CITY, MO 63390
- 6) GEORGE GEAR - STRAK CHURCH RD WRIGHT
CITY, MO 63390
- * 7) NICOLE WINDERNY - 2000 GOLDEN VICARY
WARRENTON, MO WORK # 636-488-5400
- 8) ERICA MAXWELL WRIGHT CITY, MO 63390 636-
262-7892
- 9) TONIA BRINKER
- 10) MONIQUE ROGERS
- 11) JAN

COMMENTS : IS THERE ANYTHING THAT CAN STOP THIS
LAW SUITE. BECAUE I AM BEING FOLLOWED AND
WATCH. HERE IS WHAT I NOTICED THAT I HAVE BEEN
FOLLOWED BY THE POLICE, AND SOMEONE IN A GRAY
JEEP LICENSE # 305-APN AND THIS PERSON IN THE CAR
HAD A NOTE PAD, TAKING NOTES.

YOU CAN CONTACT ME AT THIS NUMBER : 636-745-8379

Malissa Sydney 12/11/03

State of Missouri)
County of Warren)

Subscribed and sworn before me this 11th day of December 2003.

My Commission Expires: 6-1-05

Julie A. Engle
Notary Public

Page A 4 of 7
 Statement Date: 12/17/01 - 1/16/02
 Account Number: 383259534

Detail of Home Charges(continued)
 CORNELIUS BLANKS

636-357-4804

Line	Date	Time	Calls To	Number Called	Rate Code	Feature	Rate Period	Min/Msg	Airtime Charge	Toll Charge	Add'l Charge	Amount
124	12/30	8:32PM	ST LOUIS	MO 314-370-7466	CH3N	NW		1.00	0.00			0.00
125	12/30	8:35PM	LADUE	MO 314-591-5251	CH3N	NW		1.00	0.00			0.00
126	12/30	8:35PM	LADUE	MO 314-591-5251	CH3N	NW		1.00	0.00			0.00
127	12/30	8:44PM	LADUE	MO 314-491-2078	CH3N	NW		1.00	0.00			0.00
128	12/30	9:08PM	TROY	MO 636-528-6996	CH3N	NW		14.00	0.00			0.00
129	12/31	11:30AM	TROY	MO 636-528-6996	CH3N	DT		1.00	0.00			0.00
130	12/31	3:13PM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00
131	12/31	3:23PM	WRIGHTCITY	MO 636-745-9361	CH3N	DT		5.00	0.00			0.00
132	12/31	6:54PM	TROY	MO 636-528-6996	CH3N	DT		2.00	0.00			0.00
133	12/31	7:28PM	TROY	MO 636-528-6996	CH3N	DT		2.00	0.00			0.00
134	12/31	7:36PM	INCOMING	CL 636-528-6996	CH3N	DT		2.00	0.00			0.00
135	12/31	7:53PM	TROY	MO 636-528-6996	CH3N	DT		2.00	0.00			0.00
136	12/31	9:07PM	INCOMING	CL 636-357-4804	CH3N	NW		1.00	0.00			0.00
137	12/31	9:47PM	TROY	MO 636-528-6996	CH3N	NW		2.00	0.00			0.00
138	12/31	9:56PM	TROY	MO 636-528-6996	CH3N	NW		5.00	0.00			0.00
139	1/01	4:16AM	WARRENTON	MO 636-456-9615	CH3N	NW		2.00	0.00			0.00
140	1/01	4:19AM	WARRENTON	MO 636-456-9615	CH3N	NW		3.00	0.00			0.00
141	1/01	10:45AM	TROY	MO 636-528-6996	CH3N	NW		2.00	0.00			0.00
142	1/01	10:45AM	TROY	MO 636-528-6996	CH3N	NW		1.00	0.00			0.00
143	1/01	10:47AM	TROY	MO 636-528-6996	CH3N	NW		2.00	0.00			0.00
144	1/01	10:55AM	TROY	MO 636-528-6996	CH3N	NW		1.00	0.00			0.00
145	1/01	1:27PM	LADUE	MO 314-307-3200	CH3N	NW		1.00	0.00			0.00
146	1/01	1:28PM	WRIGHTCITY	MO 636-745-9361	CH3N	NW		3.00	0.00			0.00
147	1/01	2:11PM	INCOMING	CL 636-357-4804	CH3N	NW		1.00	0.00			0.00
148	1/01	2:17PM	INCOMING	CL 636-357-4804	CH3N	NW		1.00	0.00			0.00
149	1/01	4:33PM	LADUE	MO 314-303-4606	CH3N	NW		1.00	0.00			0.00
150	1/01	5:14PM	INCOMING	CL 636-357-4804	CH3N	NW		2.00	0.00			0.00
151	1/02	4:11AM	WARRENTON	MO 636-456-9615	CH3N	NW		2.00	0.00			0.00
152	1/02	7:40AM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00
153	1/02	10:16AM	INCOMING	CL 314-602-3200	MOBM	PE		1.00	0.00			0.00
154	1/02	11:00AM	LADUE	MO 314-307-3200	CH3N	DT		2.00	0.00			0.00
155	1/02	4:09PM	WRIGHTCITY	MO 636-745-9361	CH3N	DT		1.00	0.00			0.00
156	1/02	7:36PM	WARRENTON	MO 636-456-8700	CH3N	DT		1.00	0.00			0.00
157	1/03	7:47AM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00
158	1/03	7:49AM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00
159	1/03	8:19AM	INCOMING	CL 573-386-2491	CH3N	DT		1.00	0.00			0.00
160	1/03	9:32AM	INCOMING	CL 314-607-3200	MOBM	PE		1.00	0.00			0.00
161	1/03	11:42AM	ST LOUIS	MO 314-466-5587	CH3N	DT		2.00	0.00			0.00
162	1/03	11:45AM	HIGH HILL	MO 636-585-0220	CH3N	DT		2.00	0.00			0.00
163	1/03	11:58AM	WRIGHTCITY	MO 636-745-2122	CH3N	DT		1.00	0.00			0.00
164	1/03	12:00PM	WRIGHTCITY	MO 636-745-8239	CH3N	DT		1.00	0.00			0.00
165	1/03	12:10PM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00
166	1/03	12:29PM	WRIGHTCITY	MO 636-745-2122	CH3N	DT		1.00	0.00			0.00
167	1/03	12:29PM	LADUE	MO 314-307-3200	CH3N	DT		1.00	0.00			0.00
168	1/03	12:31PM	WARRENTON	MO 636-456-3330	CH3N	DT		3.00	0.00			0.00
169	1/03	12:34PM	ST LOUIS	MO 314-466-5587	CH3N	DT		2.00	0.00			0.00
170	1/03	4:22PM	GRANITEVL	SC 803-663-1533	CH3N	DT		1.00	0.00	0.20		0.20
171	1/03	7:43PM	GRANITEVL	SC 803-663-1533	CH3N	DT		2.00	0.00	0.40		0.40
172	1/03	8:11PM	LADUE	MO 314-355-4758	CH3N	DT		2.00	0.00			0.00
173	1/03	8:20PM	COATESVL	PA 610-383-5374	CH3N	DT		7.00	0.00	1.40		1.40
174	1/03	8:46PM	WARRENTON	MO 636-456-9615	CH3N	DT		2.00	0.00			0.00
175	1/03	9:03PM	WARRENTON	MO 636-297-6026	CH3N	NW		21.00	0.00			0.00
176	1/03	9:30PM	INCOMING	CL 636-456-9615	CH3N	NW		15.00	0.00			0.00
177	1/04	8:59AM	INCOMING	CL 573-386-2491	CH3N	DT		2.00	0.00			0.00
178	1/04	9:39AM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00
179	1/04	10:45AM	WRIGHTCITY	MO 636-745-8516	CH3N	DT		1.00	0.00			0.00
180	1/04	10:49AM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00
181	1/04	2:40PM	LADUE	MO 314-307-3200	CH3N	DT		3.00	0.00			0.00
182	1/04	4:18PM	NEW MELLE	MO 636-828-5282	CH3N	DT		2.00	0.00			0.00
183	1/04	4:36PM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00
184	1/04	4:51PM	INCOMING	CL 636-357-4804	CH3N	DT		1.00	0.00			0.00

This Will Be Considered As A Sworn Statement

- 1.) What kind of worker was Malissa did she show up on time? She was a good worker and was always on time.
- 2.) Did Malissa come into have a meeting with sandy on Jan. 7th at 1 pm? Yes, but sandy left w/a headache.
- 3.) Did you ever hear the supervisor say that other co-workers had no call no show? No not that I re-call.
- 4.) Did you ever hear any racial remarks being? Swede Gince said he didn't like working w/ black people.
- 5.) Did you know of or anything about Malissa calling her workplace? Yes, Jan said that Malissa called sandy that day of Jan 7th.
- 6.) Has Malissa ever came in on her days off to work for other co-workers? Yes, I worked w/ her.
- 7.) Do you feel that Malissa was discriminated against? If so why? Yes, I think because she was a good worker and some people where mad because a black woman could work almost better than they can.

Thank You For you'r Time and Patience

8). Do you know of any other co-worker
being discipline? If so who?

Lauren K

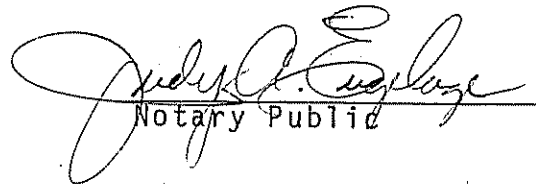
because she told
on a cook who was stealing food
from the kitchen. When she
went to the office about it the
women didn't believe her

Malissa Sydnor 12/11/03

State of Missouri)
County of Warren)

Subscribed and sworn before me this 11th day of December 2003.

My Commission Expires: 6-1-05


Notary Public

- 1.) She was eager to learn methods of cooking for people with eating problems, such as mech. Apuree and was trained by myself and Head cook Swed Gimre who was very cruel Racial so I continued her training myself. yes she was on time for work.
- 2) Do not recall I was off that day.
- 3.) yes, 2 cooks and 1 aid. They were written up.
- 4.) yes Swed Gimre said He did not want to work with a Blackie, and that she would pull the Black Card whenever she could.
- 5.) The Nurse's station did not give kitchen the message from Malissa so I called her home while on my shift and her husband said she would not be in she had fallen and was too sore to work.

b.) yes for myself and another cook who called in Every week at least 1 day.

7.) yes, I feel that she never had a chance from Day 1, SWed, did not ~~want~~ work Blackie's in his kitchen. He made things Difficult for Malissa. Some member of the Kitchen were threaten by his demire, exp. Dietary Manager Sandy Lockhart. She could have put a stop to his harassment but she was very unprofessional with her Dutys as Manager. Malissa was a good person to work with and always showed up in proper clothing and a smile.

Malissa Sydnor 12/10/03 Thank you

State of Missouri)
County of Warren) On this 11th day of December 2003
before me appeared Malissa Sydnor.

Julie C. [Signature]
Notary Public

Lawrence H. [Signature]
204. E. Walton
Warrenton, MO. 63383

BOBROFF, HESSE, LINDMARK & MARTONE, P.C.

ATTORNEYS & COUNSELORS

7730 Forsyth, Suite 200 • St. Louis, Missouri 63105

314-862-0300 Fax 314-862-7010

L. ALLISON MCKEEL

Of Counsel

Direct Dial: (314) 862-4681

e-mail: allisonmckeel@bobroffhesse.com

February 3, 2004

***CERTIFIED MAIL/
RETURN RECEIPT REQUESTED***

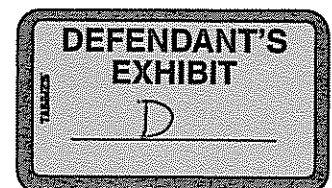
Malissa M. Sydnor
119 Highway J
Wright City, MO 63390

Re: Sydnor vs. Warrenton Manor, L.L.C.

Dear Ms. Sydnor:

This letter will confirm our telephone conversation today agreeing to the following matters:

1. Defendant's Answers to Plaintiff's First Request for Admissions are enclosed.
2. Defendant's Answers to Interrogatories will be mailed in approximately one week after they have been signed by an agent of Warrenton Manor.
3. You are unable to find Defendant's Rule 26(a)(1) Disclosures, First Interrogatories, and First Request for Production of Documents. I have enclosed a second copy of those documents for you, as well as a self-addressed stamped envelope which you can use to return your answers to me.
4. You advised that you are available any time between now and March 15, 2004 to participate in mediation of this case. You do not have a preference of mediators, and we agreed that I will arrange a mediator and date for the mediation and inform you of the arrangements. You agreed to provide me with your answers to Defendant's discovery requests prior to the mediation.

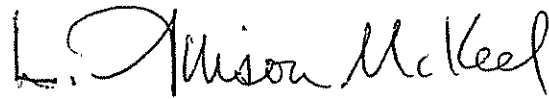


Malissa M. Sydnor
February 3, 2004
Page 2

If you have any questions, please let me know.

Very truly yours,

BOBROFF, HESSE, LINDMARK
& MARTONE, P.C.

A handwritten signature in black ink, reading "L. Allison McKeel". The signature is written in a cursive, flowing style. The "L" is large and loops around the first part of the name. The "Allison" is written in a smaller, more compact cursive, and "McKeel" is written in a similar cursive style with a long, sweeping tail on the "l".

L. Allison McKeel

LAM/pmm
encl

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>Malissa Sydner</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p><i>Malissa M. Sydner</i> <i>119 Highway J</i> <i>Wright City MO</i> <i>63390</i></p>		<p>B. Received by (Printed Name) <i>MALISSA SYDNER</i> C. Date of Delivery <i>2-5-04</i></p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7003 1010 0003 3212 7147</p>	
Form 3811, August 2001		Domestic Return Receipt	
		102595-02-M-1540	